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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,945	12/31/1999	PATRICK H. POTEGA	1092-106.US	7098

7590

11/04/2005

Patrick H Potega
7021 Vicky Avenue
West Hills, CA 91307-2314

EXAMINER

CABRERA, ZOILA E

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/475,945	POTEGA, PATRICK H.	
	Examiner	Art Unit	
	Zoila E. Cabrera	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 09 August 2005 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The Specification has been amended to claim benefit of many applications. 1. 312 Amendments are not supposed to affect the scope of the claims. Please note that changing the filing date of the claims changes the scope of the claims because it could change the meaning of a term in the art. Furthermore, below is a hyperlink for your information of "Untimely Correction of Benefit Claims".

<<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/textsection3.htm>>

The fee is 1370 dollars.

Untimely Correction of Benefit Claims

- After the time period of rule 1.78(a) has expired, applicant may petition to correct benefit claims by filing:
- A petition to accept an unintentionally delayed claim under rule 1.78(a) and the surcharge under rule 1.17(t), and
- The required specific reference (including the relationship of the nonprovisional applications and identification of any intermediate application which directly claims the benefit of the provisional application).
- Note: any benefit claim under 35 USC § 119(e) must be submitted during the pendency of the instant nonprovisional application.

